



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

JUL 31 2013

Mr. Shane Allen  
NBC 5 / KXAS  
3900 Barnett Street  
Fort Worth, TX 76103

OFFICE OF  
WATER

Re: Freedom of Information Act (FOIA) Request EPA-HQ-2013-008389

Dear Mr. Allen,

This concerns your Freedom of Information Act request of July 19, 2013, for records documenting compliance with the Aircraft Drinking Water Rule (ADWR).

Based on our conversation of July 18, 2013, regarding your initial FOIA request of January 17, 2013, and your new request of July 19, 2013, we have combined your requests into one response as follows:

- (1) We have broadened a query of fields to provide you with a spreadsheet of the entire, non redacted ADWR reporting and compliance database from its start-up in 2011 through July 19, 2013, including a document describing field definitions. **Special attention should be made regarding the questionable integrity of some of the "raw" data provided to you in the entire database – as EPA regards it as potentially unreliable because the raw data may not have been either (a) officially (electronically) signed-off on by the regulated entity; therefore, the data may not be true, accurate, or may be incomplete; and (b) validated by EPA. For example, where EPA has not made a "Preliminary Finding" on a potential violation generated by the Aircraft Reporting and Compliance System (ARCS).**
- (2) We have provided all notices (recently received as a result of our second, nation-wide search), which have been issued to airlines, including informal, investigative requests and formal notices of compliance failures from 2011 through July 19, 2013.
- (3) We have provided all documents regarding the dataset, including any analysis, etc., from 2011 to July 19, 2013.
- (4) With regards to a list of any and all people, companies and agencies who have requested the data in the past 24 months, we have received two requests besides yours: (1) Mr. Matthew McManus of The Vannet Group and (2) Mr. Daniel Wing of E.S. Babcock & Sons, Inc.

We refer you to the ADWR rule for EPA regulations regarding requirements on how the data is gathered (40 CFR 141.806(d)) and used (go to EPA's website to view the rule at <http://water.epa.gov/lawsregs/rulesregs/sdwa/airlinewater/index.cfm>). In addition, based on our nation-wide search, no compliance audit has been conducted from 2011 to July 19, 2013. Also note, no public

notifications have been submitted – notices are not required to be reported to EPA, only data on the occurrence of the public notification event.

This response and the enclosed CD represent our final response to your request and are being provided to you at no cost.

You may appeal our response to the National Freedom of Information Officer, U.S. EPA, FOIA and Privacy Branch, 1200 Pennsylvania Avenue, NW (2822T), Washington, DC 20460 (U.S. Postal Service Only), FAX: (202) 566-2147, E-mail: [hq.foia@epa.gov](mailto:hq.foia@epa.gov). Only items mailed through the United States Postal Service may be delivered to 1200 Pennsylvania Avenue, NW. If you are submitting your appeal via hand delivery, courier service or overnight delivery, you must address your correspondence to 1301 Constitution Avenue, NW, Room 6416J, Washington, DC 20004. Your appeal must be made in writing, and it must be submitted no later than 30 calendar days from the date of this letter. The Agency will not consider appeals received after the 30 calendar day limit. The appeal letter should include the FOIA number listed above. For quickest possible handling, the appeal letter and its envelope should be marked "Freedom of Information Act Appeal."

Sincerely,



Stephanie Flaherty  
FOIA Public Liaison  
Office of Ground Water and Drinking Water

Attachments